A JOURNAL OF CHURCH AND SOCIETY

Social Progress

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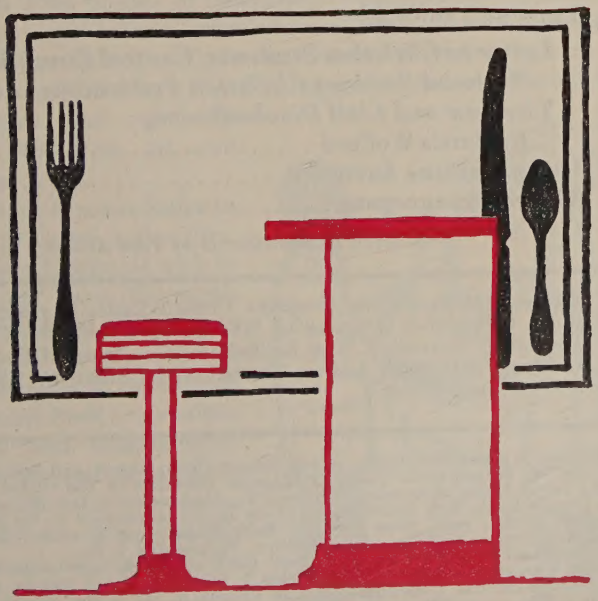

hy They Sat-in

FEBRUARY 1961

Social Progress

Published by the Office of Church and Society of the Board of Christian Education of The United Presbyterian Church in the United States of America to provide a forum for the church on subjects of social concern for Christians. It includes program resources, legislative developments, and guides to worship, study, and action for leaders of social action groups in local churches, presbyteries, synods, presbyterial and synodical societies. Articles represent the opinions of the authors.

February 1961 Vol. LI, No. 4

By Way of Introduction 3

This Happened to Us

Experience in a Tallahasse Jail, by Virginia Delavan 6

Why I Sit-in, by Barbara Ann Posey 8

Behind the Carolina Stockade, by Thomas Gaither .. 10

A White Student Sits-in, by Stephen Henderson..... 13

"We Walk so They May Sit," by Martin Smolin 16

Settling a Sit-in, by Wallace Westfeldt 18

What Does It All Mean?

What Sit-downs Mean to America, by Lerone Bennett, Jr. 26

"Sit Down Chillun, Sit Down!" by Wilma Dykeman and James Stokely 29

Progress and Prospect, by Marion A. Wright..... 33

Laws and the Law

Letter to Christian Students, Central Committee, National Student Christian Federation 37

The Law and Civil Disobedience, by Harris Wofford 39

Organizations Involved 44

Places Desegregated 46

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SOCIAL PROGRESS is published monthly, except January, May, August, and September, by the Office of Church and Society of the Board of Christian Education of The United Presbyterian Church in the United States of America, 1009 Sloan St., Crawfordsville, Ind. Second-class postage paid at Crawfordsville, Ind. Undeliverable copies should be returned to the same address.

Subscriptions, $2.00 a year; three years for $5.00. Single copy, 25 cents. Group rates on request. Send subscriptions to Witherspoon Building, Philadelphia 7, Pa.

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BY WAY OF INTRODUCTION

THIS issue of SOCIAL PROGRESS deals with the student "sit-ins." A part of its purpose is to try to communicate the "feel" of the movement, to identify the motivations that cause great numbers of young people to take direct action against a system that dispensed food and drink to them in a paper sack to be eaten off the premises.

The selection of material was in itself a major task of sifting through great masses of newspaper clippings, correspondence, reports of organizations, newsletters of local committees, speeches, and articles. Space permits us to print but the tiniest fraction of the reports available in our files. We hope what we have selected is both significant and relatively "new" to most of our readers.

Perhaps it was a desire to claim pride of authorship, perhaps a legitimate wish to "improve" upon the verbiage (much of which was written down in the midst of the dynamics of the student movement itself), occasionally it was disagreement with a statement, an emphasis, syntax—in any case, like all editors we had the temptation to rewrite. We were largely able to resist that temptation, although at

times we felt it advisable to elide certain strongly worded phrases or too-vivid descriptions—not because we thought our readership was unable to bear them but because tradition, for good or ill, forbids the use of certain types of verbal expressions in church publications. We think this may be unfortunate, but hasten to add that we don't make the traditions nor yet are we sure we have enough wisdom to decide which ones should be broken, or how.

Perhaps it would be well also to reiterate what is stated on our masthead, that articles appearing in this issue, as in all others, express the opinions of the authors and not necessarily those of the Office of Church and Society.

For a bird's-eye view of this recapitulation of the student movement, the reader will find the contents under six categories:

1. This Happened to Us
2. Settling a Sit-in
3. What Does It All Mean?
4. Laws and the Law
5. Organizations Involved
6. Places Desegregated

While most of the major denominations have made statements supporting the student sit-ins in one way or another (and both political party platforms have endorsed them), it is well for United Presbyterians to be reminded of the statement made by our last General Assembly on the subject of Public Accommodations in general and the Student Demonstrations in particular. It is reprinted here in its entirety, as approved last May in Cleveland:

Public Accommodations

a. *Statutory Prohibitions*

Noting that discrimination because of race in places of public accommodation is still all too common in many parts of the United States;

Believing that such discrimination not only magnifies the significance of American racial discrimination in the eyes of peoples overseas, but denies, as does every kind of racial discrimination, the dignity and worth of persons created in the image of God; and

Knowing that many states and municipalities have not taken even the minimal step of prohibiting discrimination in places of public accommodation, or else do not enforce existing statutory prohibitions;

The 172d General Assembly

Calls upon our judicatories and church members to insist that public officials enforce such statutory prohibitions where they exist, and to support such legislation where it has been, or can be, introduced;

Urges our members to take note of hotels, restaurants, and other public accommodations that discriminate and to communicate to the owners or managers their desire to see such discriminatory practices eliminated; and

Urges United Presbyterians, individually and in concert, to seek out and patronize those places of public accommodation which serve the public without such discrimination.

b. *Student Demonstrations*

Acknowledging that Christians have historically upheld the just authority of the state as being instituted of God for his glory and the public good so long as the state has not commanded anything contrary to the law of God;

Affirming that some laws and customs requiring racial discrimination are, in our judgment, such serious violations of the law of God as to justify peaceable and orderly disobedience or disregard of these laws;

Believing that current student demonstrations against racial segregation, while in some cases conflicting with local laws or customs, seem to be consistent with our Christian heritage, the Federal Constitution, and the moral consensus of our nation; and

Deploring the violent reactions that have produced assaults on the persons of student demonstrators and the unjust arrest in some cases of the victims rather than the assailants;

The 172d General Assembly

Commends those who, when struck, did not strike back; who, when cursed, did not curse back; who acted with patience and dignity in the face of violence and hostility;

Assures students of our common cause with those who for the sake of conscience participate in such responsible nonviolent demonstrations;

Urges them to continue to recognize the dangers to the civil order inherent in conflict with established authority; and

Urges United Presbyterians to search their consciences and prayerfully to determine, within the fellowship of the church, whether God calls them to support these efforts.

—The Staff

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THIS HAPPENED TO US

Experience in a Tallahassee Jail

By Virginia Delavan
Editor, Florida State University *Flambeau*

WES" has been in the county jail 143 days. In that time he says he has lost forty pounds and has been allowed out of his cell three times.

Six FSU students spent from six to twenty-five hours each in the city receiving cell and the county jail. Jailed at 11 A.M. Saturday, they had no lunch. Only two meals a day are served. The supper fare was a sweet roll about the size of a blackboard eraser and watery coffee.

The two still in jail Sunday morning, Steve Poe and Roy Eaves, ate "fatback," watery coffee, two small biscuits, "impalatable grits" ("like library paste") and gravy.

For twenty hours they had no water, since the water was turned off in their cell.

Near them were seventeen Negro students in a cell 6½ by 6 feet. Sunday morning the Negroes were still singing. "Wes" told Poe and Eaves that this was the first morning in 143 days he had waked up to something pleasant.

To the FSU students out on bail now the experience has been "worth it all."

Route to Jail

The students' route to jail started at 9:15 A.M. Three FSU coeds, Brenda Brady, Ellen Shively, and Pat O'Day, sat at the counter and were served breakfast.

Fifteen minutes later Jeff Poland came in and ordered. A Negro student stood by him. A waitress said she wouldn't serve him—that the counter was closed. Poland asked for his check and got it. The Negro sat down. Both the manager and waitress verbally encouraged the Negro to leave. Poland was handing him his coffee when the waitress grabbed the cup. As Poland also reached for it, some spilled.

"That was the most violent thing that happened," said Poland.

The manager gave Poland a refund for the coffee and put up two "Closed" signs at the east end of the counter.

More Arrive

At 9:40 Bob Armstrong had arrived and ordered. While he was eating, the manager asked him if he was the same person who had talked to

him yesterday. Armstrong said yes. (A delegation of two FSU and two Florida Agricultural and Mechanical University [a Negro school] students had asked the manager to reconsider his decision the previous day and told him of their plans.)

By this time two of Armstrong's friends and two Negro students, Willie Black and Robert Kemp, had joined the group and were sitting around Armstrong.

The waitress asked one of Armstrong's friends, "You're with them, aren't you?" (indicating the Negroes). "Well, I suppose I'll have to serve you because you're white." He was given a glass of water, but never got his coffee.

Police Move In

A small number of interested onlookers gathered. Ten policemen and individuals termed "porkchoppers" by the FSU students moved in.

The mayor of Tallahassee entered the store. Determining that Kemp was the group's spokesman, he asked, "Did you know this counter was closed?"

Kemp: "No."

Mayor: "Well, it is closed. And as the mayor of Tallahassee, I'm asking you all to leave."

Kemp: "Has the manager asked you to ask us to leave?"

Mayor: "I am the mayor of Tallahassee, and I am asking you to leave."

The group turned on their stools to confer. Eaves says he believes that none of the group would have refused to leave.

But immediately before they had a chance to confer the mayor ordered them all under arrest.

Marched Off

The twelve students, equally divided between FSU and FAMU, were searched and marched out of the store.

FSU coeds at the counter were ignored after they told policemen they had come for breakfast alone.

Armstrong, Poe, Eaves, Brock, Poland, and Derek Lawler from FSU, with the six FAMU men, were guarded by a contingent of ten city police, marched through the park and into the station.

At the station, one officer remarked, "Them's not even as good as the . . . niggers," and another, "Somebody's gonna get killed right about there . . ." pointing to the park where groups of Negro and white students were watching.

Armstrong asked to take two books into the cell with him—*Religious Drama* and *The Book of Common Prayer*. An officer told him, "You'll need them."

The door of the cell slammed shut: the lights went off. The integrated group recited the Lord's Prayer and the Twenty-third Psalm. Armstrong read II Corinthians, chapter 6, in which Paul tells of the trials he has suffered, imprisonment, and banishment.

Hymns Sung

"Rock of Ages," "A Mighty Fortress Is Our God," "You'll Never Walk Alone," "Swing Low, Sweet Chariot," "My Country 'Tis of Thee," "The Battle Hymn of the Republic"—the group kept singing. And when the door opened at intervals, a Negro student was conducting them.

Armstrong says the policemen were astonished that people in jail could be so happy.

As he was being fingerprinted, the chief said to him, "You got this idea in church, didn't you, boy?"

When Armstrong replied in the affirmative, the chief commented, "Them preachers do a lotta talkin' about the brotherhood of men, but they ain't gonna help you white niggers now."

Other remarks along the same line were "If you . . . would read the Bible, you'd see where dirty, stinking niggers ain't supposed to mix with whites." And, "Good Christians don't mix with niggers."

At about 12:30 the white students were transferred to the county jail, which is segregated by race. Within an hour, Roy Eaves was allowed to come out and make calls for the six.

When the students were marched by the bullpen, which houses twenty-five prisoners during the day, the conducting officer called out to bullpen inmates: "These fellows would rather associate with niggers than with you. What do you say we let them in there and let you take care of them."

As Eaves was being released Sunday morning, a policeman commented: "Here's the nigger-lover. He do look like he got nigger blood in him, don't he?"

Poe was the last to be let out. At 12:30 P.M. Sunday he was bailed. The Negro students were still singing.

Why I Sit-in

By Barbara Ann Posey. Used by permission of *Datebook* magazine, copyright 1960, Young World Press, Inc.

(Even before the four students sat-in in Greensboro, North Carolina, seventeen-year-old Barbara Ann Posey was sitting-in in Oklahoma City.)

ONE hot summer day, before I was even in my teens, I went shopping downtown with my mother. I was tired and hungry, and I wanted to stop at a lunch counter for something to eat. My mother refused.

"But, why?" I asked her. It didn't make sense to me.

"You can't sit down at the lunch counter because you are a Negro," my mother said.

It was an explanation. But it didn't make sense.

It was most confusing to me. Therefore, I discussed it with various people—friends and teachers and relatives. Most of them evaded the issue, and this left me more confused than before.

Why couldn't I sit down and have something to eat at a lunch counter in my home town of Oklahoma City, Oklahoma? Why couldn't the more than 37,000 other Negroes sit down and eat also? It just didn't seem fair.

In 1957, when I was fourteen, I joined the youth council of a national organization which tries to help colored people. Our adviser told us the story of Rev. Martin Luther King, Jr., and the way the colored people of Montgomery, Alabama,

had won their battle to desegregate the bus system. They had used a nonviolent method. They had simply gone about their business, quietly doing what they felt was right.

I was so impressed with Mr. King, who had led them, that I started reading everything I could find about passive resistance—about Gandhi as well as Mr. King. I wondered why the leaders of the world did not use this nonviolent method of solving international problems. As long as your cause is just, you are bound to be successful.

I began to practice nonviolence in my school, church, and everyday life. I came to believe that through love and understanding and a firm stand for what is right, most of the wrongs of the world can be corrected.

Then, the youth council of the Oklahoma City NAACP was invited to participate in a freedom rally in New York City. I went.

And it was the most exciting trip of my life. Besides seeing New York and meeting all sorts of interesting people, I experienced some of the little things that I realized I had always missed. I ate in cafeterias. I sat in lunch counters with everybody else and was served a ten-cent Coke. Maybe you think a simple thing like that is not important. But it is. Imagine that everybody else in the world can do it and not you—and maybe you'll understand.

When I returned to Oklahoma City, I knew that it was time to do something. And the youth council agreed that we should all work toward eliminating segregation in public accommodations in Oklahoma City. Right now.

For over a year we tried to accomplish this by talking and negotiation. But in the end, we always received the age-old answer: "Wait. It takes time."

Well, for over 246 years my people had waited, dreamed, and prayed for first-class citizenship. My people, along with others, had died on the battlefields of the world for democracy. Now, what could I do besides wait?

I could *sit* and wait. I could go to the places that refused to serve Negroes and just sit and sit and sit. Until I was served.

What would this accomplish? Well, as I sat, I would be reminding America of its shortcomings and its undemocratic behavior in regard to some minority groups. As I sat I could become a living witness to the fact that young people in America are still willing to sacrifice for the great American dream of liberty, justice, and equality. As I sat I could be speaking to the world and saying, in effect: "I believe in the Declaration of Independence and the Constitution of the United States. Do you?"

I sat for two and one half weeks from 10 A.M. until the stores closed. Then, from August, 1959, until April, 1960, at least once a week.

I sat and waited for restaurant owners in my city to change their segregated policy. And as I sat, I felt a closeness with the Jews who had waited in the concentration camps of Hitler. I remembered how Judge William Berry had described how he had waited in a Japanese POW camp for the Japanese to change their policy. I sat and remembered how the Indians under Gandhi

had waited and waited—and finally won out.

I knew that the threats, the insults, the humiliations that I was experiencing at the hands of some unthinking people were really insignificant. And so I sat in dignity and prayed, "Dear God, if it is thy will that our democracy shall survive, I will sit."

And as I sat, letters poured into Oklahoma City from all over the world; the council of churches and a citizens' committee spoke out against segregation and came to our rescue.

As I sat, along with hundreds of other young people, sixty-one restaurants in Oklahoma City opened their doors to my people. And our governor appointed a human relations committee to work to eliminate segregation in the State of Oklahoma once and for all.

That's why I sat in.

Behind the Carolina Stockade

By Thomas Gaither, Claflin College
Orangeburg, South Carolina

ON MARCH 16 many newspapers throughout the world carried a photo showing 350 arrested students herded into an open-air stockade in Orangeburg, South Carolina.

I was arrested later in the day while marching in protest in front of the courthouse. I didn't realize until scrutinizing the stockade photo much later that the scene shown was unusual—to say the least—and would provoke questions from newspaper readers unfamiliar with the local scene.

What were all these well-dressed, peaceable-looking students doing in a stockade? Why weren't they inside the jail if they were under arrest? How come that such uncriminal-appearing youths were arrested in the first place?

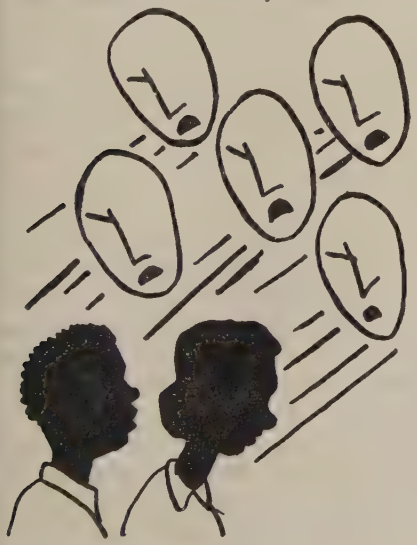
The story begins about a month before when we students in the Orangeburg area became inspired by the example of the students in Rock Hill, South Carolina (where United Presbyterian counselor Cecil Ivory was arrested later). We, too, feel that stores which graciously accept our money at one counter should not rudely refuse it at another. We decided to request service at Kress's lunch counter.

But first, we felt that training in the principles and practice of nonviolence was needed. We formed classes of about forty students each over a period of three to four days. Our chief texts were the pamphlet *CORE Rules for Action* and Martin Luther King's inspirational book *Stride Toward Freedom.* In these sessions we emphasized adherence to nonviolence and discussed various situations that might provoke violence. Could each one of us trust our God and our temper enough to not strike back even if kicked, slapped, or spit upon? Many felt they could discipline themselves in violent situations. Others were honest enough to admit they could not and decided not

to participate until they felt surer of themselves on this issue.

After the initial briefing session two group spokesmen were chosen: one from Claflin College and one from South Carolina State College. Their duty was to chart action plans for February 25. They checked the entrances of the Kress store and counted the number of stools at the lunch counter. The number of minutes it takes to walk from a central point on campus to Kress's was timed exactly. From our training groups, we picked forty students who felt confident in the techniques of nonviolence. After further training and some prayer we felt prepared for action.

At 10:45 A.M. on February 25, students from Claflin and South Carolina State left their respective campuses in groups of three or four, with one person designated as group leader. The groups followed three routes, walking at a moderate pace, which would ensure their arriving at the store simultaneously.



The first fifteen students went in and sat down at the lunch counter. After they had been there about a quarter of an hour, signs were posted saying that the counters were closed in the interest of public safety.

The first group then left and another group of about twenty students took their seats. The manager then started removing the seats from the stands. Each student remained seated until his seat was removed. A few students were jostled by police. A number of hoodlums were in the store, some of whom carried large knives and other weapons, unconcealed. However, no violence occurred. By closing time the seats were still off their stands and nobody was being served.

We returned to the store next day, following the same plan of action. At first the seats were still down, but by 11:30 those at one end of the counter were screwed on and some white people were served. We students stood along the rest of the counter until 3:30. By this time, additional students had joined us and we were several rows deep. At 4, the store closed.

The next day, Saturday, we decided against sitting-in. We had sought and obtained clearance from the chief of police to picket and we were prepared to start on Monday. However, no sooner had some twenty-five students started picketing than they were ordered to remove their signs or face arrest. They were informed that an antipicketing ordinance had been enacted that same day.

Inside the store, the counters were stacked with trash cans. Not more than two Negroes at a time were be-

ing permitted to enter. Each day our spokesmen checked the counter. Meanwhile some 1,000 Claflin and South Carolina State students were receiving training for the mass demonstrations that were to follow.

The first such demonstration started at 12:30 on March 1. Over 1,000 students marched through the streets of Orangeburg with signs saying: "All Sit or All Stand" "Segregation Is Obsolete," "No Color Line in Heaven," and "Down with Jim Crow."

Not long after reaching the main street, the marchers were met by a contingent of state police who requested identification of leaders and asked that the signs be taken down. The group leaders were informed that they would be held responsible for any outbreak of violence and that if this occurred, they would be charged with inciting to riot. There was no violence. Only two persons were arrested, and these were *not* participants.

After the March 1 demonstration, the lunch counters were closed for two weeks. With a view to strengthening our local movement and broadening it on a state-wide basis, the South Carolina Student Movement Association was established. I was named chairman of the Orangeburg branch. We initiated a boycott of stores whose lunch counters discriminate.

March 15 was the day of the big march—the one in which 350 students landed in the stockade. The lunch counters had reopened the previous day, and a sit-in was planned in addition to the march. Governor Hollings had asserted that no such demonstration would be tolerated. Regarding us, he said: "They think they can violate any law, especially if they have a Bible in their hands; our law enforcement officers have their Bibles too."

Of course, we were violating no law with our peaceful demonstration. As for the law enforcement officers having their Bibles, they may have them at home, but what they had in their hands the day of our demonstration were tear-gas bombs and fire hoses, which they used indiscriminately. The weather was subfreezing, and we were completely drenched with water from the hoses. Many of the girls were knocked off their feet by the pressure and floundered around in the water. Among the students thrown by the water were several physically handicapped students—one of them a blind girl.

Over 500 students were arrested; 150 filled the city and county jails. That's why some 350 were jammed into the stockade, surrounded by a heavy wire fence about seven feet high. The enclosure ordinarily serves as a chicken coop and storage space for chicken feed and lumber. There are two tall iron gates. It afforded no shelter whatsoever in the subfreezing weather.

In contrast to the cold outside, students in the jail's basement were sweating in 90-degree temperatures, emanating from the boiler room. One student drenched from head to toe was locked in solitary in a cell with water three inches deep. Requests for dry clothing were denied. The Claflin College nurse who came to give first aid was halted at the courthouse entrance and literally had to force her way inside.

I was arrested with a group of some 200 students marching around the courthouse in protest over the earlier mass arrests. At first police told us we would be permitted to march if we kept moving in an orderly manner, but then they announced that unless we returned to the campus at once we would be arrested. I was seized first as one of the leaders and held in jail four hours.

The trials of the arrested students started next day, a few students at a time. All were eventually convicted of "breach of the peace" and sentenced to thirty days in jail or $100 fine. The cases are being appealed to the higher courts.

Meanwhile, our action program proceeds. We are set in our goal and, with the help of God, nothing will stop us short of that goal.

A White Student Sits-in

By Stephen Henderson
Maryville College, Maryville, Tennessee

On Monday, May 16, 1960, I finished up my final exams and hopped on a bus that was to take me to Knoxville College to spend an evening. Knoxville is a small (600), Negro college situated in one of the Negro districts of Knoxville. It is a Presbyterian-sponsored, liberal arts college much like Maryville College, from which I come. Maryville is integrated. There are, however, only a few Negroes in the student body.

This was not the first time that I came in contact with my Knoxville College friends. Several weeks ago eighteen Maryville students spent a weekend at Knoxville College. Previously, ten Knoxville College students had spent the weekend at Maryville. We had shared rooms, food, friendship, and ideas with one another. It was my feeling and the feeling of most of the others concerned that these exchanges were extremely worth-while. We definitely plan to continue them next year. We do feel, however, that individual visits, which would not be so encumbered by intricate organization, would be of much more value.

We arrived at Knoxville just in time to have supper. While we were eating, it was announced that all students interested in participating in the sit-ins in downtown Knoxville were to assemble near the chapel. I had not come to the campus realizing that I would have the opportunity to participate in a demonstration of this sort. For several months, however, I had been much interested in the sit-in movements and had read a great deal of material on the subject.

This kind of demonstration seemed a sensible and effective means of securing a human right that belongs to all men. I also learned from my reading that the sit-ins are more successful if a few whites will join with the Negroes in their demonstrations. These people were my friends. I was determined to help.

Because I knew that in some places there had been some resentment against outsiders joining this movement I asked many of the students if they thought it would be all right if I went downtown with them. The reactions varied. None of the students resented in any way my request. Some, however, didn't think that I would really want to go with them. After I made it clear that I was determined to go and that I knew what I was getting into, I received enthusiastic approval from everyone. They were pleased that some whites would venture to take an active stand against racial discrimination. My friend and I were to be the first white persons to join the sit-in movement in Knoxville.

We started the evening's activities with a briefing session for all participants. We were warned to be polite and well mannered at all times. We were to be careful to follow the laws as much as possible. We were asked not to laugh or speak boldly of our successful closing of a counter. Above all, we were repeatedly reminded not to retaliate in the face of abuse either verbal or physical. Our general behavior was to be beyond reproach.

On the realistic side, we were told that there was a very good chance that we might meet with some unpleasant resistance. We were also warned that the police were very eager to arrest a few of us and that we might have to furnish our own bail. Sufficient funds had not yet been gathered to ensure bail money. They pleaded with those who had bad tempers to stay at school. We were all to stay in close contact with one another.

This movement was not without organization and trained leadership. There were at least half a dozen boys in the group that night who had been through some three months of training in preparation for these demonstrations. We were divided into about four small groups of about twelve each with a leader appointed to each group.

We started walking from the campus about 7:00 P.M. We had to walk because several of the drivers on previous ventures had been arrested. We had to be extremely careful to follow all the traffic laws of the town so as to give the police no unnecessary reasons to arrest us.

It was about one mile, and the walk was a thrilling experience for me. During the time it took us to get downtown I gained new and close friends. One finds oneself, in a situation like this, naturally thrown into a close feeling of friendship and understanding. We told one another of our principles and feelings in a way that we never would have done under different circumstances.

We arrived downtown at about 7:30 P.M., the evening rush hour. The first store that my group went into was Kress's. Kress's is one of the biggest stores in the town. We proceeded to the basement, which contained the lunch counter. The sight that greeted us was a strange one, considering that this was the rush hour. The entire basement was empty except for one saleslady. The lunch counter was roped off and covered with "Closed" signs. The police, who had been observing the campus and knew the minute we left for town, had evidently informed the managers of our coming. As we pro-

ceeded down one of the stairways, each of the other stairways became filled with executives. Since there was no point in spending any more time there, we simply walked in and out. We had closed one floor of merchandise to business.

After finding several stores already closed or covered by other groups, we proceeded to the local Walgreen Drugstore. Their counter was not yet closed. The moment we arrived, however, the manager posted a "Closed" sign. He personally asked the remaining white men, including myself, to leave as he was no longer able to do business that night. When I asked him why, he declined to answer. I informed him that I was tired and needed a rest and remained seated. Shoppers immediately began to avoid the store as if we had poisoned it. I'm sure the manager was very much distressed at losing so much business.

Soon the store was empty except for a few troublemakers. After a few minutes I was approached by a young white woman. She was sloppily dressed in old clothes, decorated by tattoos, and spoke ungrammatical English. She introduced herself by saying that she would like to slap me on the face. She asked if I would go over to a corner with her for a friendly chat. As there were several rough-looking white men on the corner to which she gestured, I was not too happy to go. But finding it difficult to refuse, I joined her for a conference at the summit. Fortunately for me, the white men had nothing to do with her. Without giving the details of her exhortation, it was, to say the least, inflammatory and not constructive. After she advised me that a group of white students were on their way, she bid me a trite farewell, and I returned to my friends at the counter. We stayed another ten minutes or so, then left to return to the campus.

In the meantime, the other group had arrived back at the campus. They had been accosted by a group of young whites outside Woolworth's. My white friend, who was in that group, was kicked. People were trying to get him to strike a blow just as the lady in Walgreen's tried to make me strike her.

We did not return until about ten minutes after they did. During this time there had been some sort of accident in town. The air was filled with the sound of sirens. The students on campus became very frightened for us. Students who were taking tests that night found it difficult to keep their minds on their work. The leader of the first group had a policeman radio in to ask that we be escorted back to the campus. For the first time the police cooperated in a fine way. We immediately were put under the escort of a police car. There were, of course, many police cars on the scene before this. At every intersection there were at least four of them. It was perhaps very fortunate for us that we were escorted. Many cars buzzed by us throwing verbal missiles in our direction. They might have thrown things much more tangible than words if we had not been so well protected.

When we arrived at the campus we were literally received with tears. No one was ashamed of his tears either.

Despite fears, the sit-ins will con-

tinue for a long time. Many more tears will be shed, and perhaps many of my friends will be hurt. They feel that they must go on. Their courage is not possessed by the men only. There are as many women as men participating in the movement.

In respect for their courage and in respect for their and my human dignity I feel that I must do all I can to help them fight for the rights that belong to all men.

"We Walk so They May Sit"

By Martin Smolin, Columbia University

THIS slogan, used widely on picket signs, summarizes the aim of thousands outside the South. National picketing and boycott of variety-store chains that segregate at their counters in the South is aimed at showing them that segregation does not pay.

In an article headed "Campuses in North Back Southern Students," McCandlish Phillips wrote recently in *The New York Times:* "The present campus generation has been accused of self-concern and a pallid indifference to social or political questions. This issue appears to have aroused it as have few others."

This is definitely true, not only of students in the North but in the Midwest and Far West, from the smallest college to the "big three," Yale, Harvard, and Princeton.

At New Haven thirty-five Yale medical students picketed local variety stores in four shifts. At Saratoga Springs, twenty Skidmore College faculty members joined 200 college girls in a demonstration.

These are typical of student activities that are taking place from coast to coast. While initiated on individual campuses, these activities are supported by such national student organizations as the National Student Association and the National Student Christian Federation.

In college towns, picketing of the variety stores has been established by the students themselves. In the cities, college, as well as high school, students have been the mainstay of picket lines organized by CORE, NAACP, and other established organizations. Labor unions have helped by manning many picket lines.

This is the case in New York where I, a student at Columbia University, have been a CORE picket captain. We set up our original picket line at a Woolworth store in the heart of Harlem on the second Saturday after the Greensboro sit-in. Within a half hour the store was cleared of customers.

Passers-by voiced approval of the picketing. Many asked to join the line and some did.

One woman told me she would be glad to join, but she was waiting for her husband. For a while I observed her watching from a distance. Then, a man arrived and she came over to me saying: "My husband and I

would like to help. What can we do?" They stayed three hours distributing leaflets and returned the following Saturday to hand them out the entire afternoon.

On a cold February afternoon, a young man appeared on the picket line looking half frozen. "Am I glad you showed up! I've been waiting for you since nine o'clock," he said. "But we weren't scheduled to start picketing until two," I told him. "Well, I read in the newspaper that CORE was going to picket this store, but the article didn't give the starting time, so I just took the morning train in and decided to wait for you," he explained. "The train?" I asked in surprise. "Yes, I live in Lakewood, New Jersey," he said. Lakewood is seventy-five miles from New York.

Not everyone is this devoted, yet this is not an untypical example of the support our picket lines have received. At one Woolworth store the manager, himself, expressed support. As we were about to end our picketing for the day, he signaled to me and said: "I've heard about the work you people are doing and agree with you 100 per cent. I think we must integrate our stores in the South."

At another Woolworth store, a Bible concessionaire came out and told me: "You're losing me business like crazy—but don't stop. I'd even join you if I didn't have my concession here." As he went back into the store, he added, "I guess people have been reading my product lately."

When nine Southern students whom CORE brought North to tell their story joined our picket line on 125th Street, I asked how it made them feel to observe our activities in this part of the country. "It makes us feel that we are not alone in our struggle," is the way Merritt Spaulding, a student who had been arrested in Tallahassee, expressed it.

People have asked me why Northerners—especially white people who have been in the majority in our picket demonstrations in New York—take an active part in an issue that doesn't concern them. My answer is that injustice anywhere is everybody's concern.

Sitting at a lunch counter may seem like a small thing to some, but the right to do so is inextricably bound up with the American idea of equality for all. The world's eyes are upon us. We and our democracy are on trial. All of us are being judged by what occurred in Little Rock in recent years and by what is happening in the South today.

That is why students in the North have identified themselves with the movement in the South. United States students have been challenged to shake off their traditional political apathy and take a stand.

As a student at Columbia University and as a member of New York CORE, I am aware that Northern students have wanted to speak out for integration for some time. But aside from listening to speeches—there was little to do.

We were waiting for the leadership to come from the South. Now, the lunch-counter sit-ins have given us the awaited opportunity to act. We intend to keep up the picketing and the boycott of variety stores until lunch-counter discrimination is eliminated in the South—as it has been in other parts of the country.

SETTLING A SIT-IN

By Wallace Westfeldt

This report was prepared for the Nashville Community Relations Conference by Mr. Westfeldt, an experienced journalist on the staff of the *Nashville Tennessean*. The views and opinions expressed are Mr. Westfeldt's and do not necessarily reflect those of the Nashville Community Relations Conference.

Preface

At 3:15 P.M. on Tuesday, May 10, 1960, small groups of Negroes, carefully selected by their leaders, calmly walked up to the lunch counters in six downtown Nashville, Tennessee, stores and sat down to a historical mid-afternoon snack.

Many of them sat next to white persons. Their orders for food were politely received and just as politely served—by white persons.

Despite the unseasonably cold weather and the time of day, the lunchrooms were crowded. Heavy detachments of plain-clothes police were there to prevent trouble. A well-organized corps of observing United Church Women, posted there by the Nashville Community Relations Conference, stood ready to lend encouragement to the Negroes and whites participating in the unusual sit-in and, if need be, to act as sharp-eyed witnesses to any untoward event that might develop.

This duty, incidentally, was so jealously guarded by the church women that one was heard to express shock and dismay when a Baptist minister wandered into the area she was observing.

"What are you doing in here?" she asked. "This room is for the Unitarians!"

By 4 P.M. the Negro groups had departed and shortly thereafter so had the church women as well as the police.

Thus ended the tense struggle in Nashville between Negroes and merchants over the right of Negroes to eat with whites at lunch counters in stores where they were welcomed as customers for other goods.

Thus did Nashville become the first major city in the region traditionally known as the South to permit whites and blacks to eat together openly in public places.

For a couple of weeks after May 10, small groups of carefully selected Negroes continued these controlled sit-ins until by the end of the month all controls were off and Negroes came and went as they pleased.

By mid-June, the last downtown store that had been a sit-in target in preceding months quietly decided to go along with the rest. All of this has taken place without a single incident of resistance.

Background

The background, superficially at least, appeared conducive to anything but a successful settlement.

Sporadic violence and near-violence had swirled about the downtown area in February and early March when Negro students staged massive sit-ins and were arrested in massive numbers.

A report of the biracial committee established by Mayor Ben West was openly rejected by the Negro leaders and covertly rejected by the merchants. This committee recommended on April 5 that the merchants divide their lunch counters into two sections, one for whites and one for those who wanted to eat in integrated fashion. This was to be operated on a ninety-day trial basis.

The committee also recommended that if no further demonstrations by Negro students occurred during the trial period all cases against them (well over one hundred) resulting from the February and early March sit-in period should be dismissed.

A final recommendation by the committee was the creation by the mayor of a permanent biracial committee with the function of studying and making recommendations on any racial problems that might develop.

Principal objection to the recommendations from the student protest movement and the Nashville Christian Leadership Council:

"The plan . . . ignores the moral issues involved in the struggle for the realization of human rights. The . . . recommendation in actuality is a plan of segregation . . . Our concern is that segregation be removed entirely whether it is the segregation of the Negro or white customers. The suggestion of a restricted area involves the same stigma of which we are earnestly seeking to rid the community . . ."

The merchants put it this way:

"The merchants of Nashville have been placed in the unenviable position of deciding on a social practice that will be a radical change in the custom of our community. The very nature of our business is such that it is most impractical for a small group of stores to assume the role of leading such a social change . . . Obviously a decision of this scope cannot and should not be hastily made by the stores involved."

To anyone keeping up with reports of developments in the sit-in movement, however, it became clear the merchants' position was unenviable because of another, perhaps more important, reason.

"Economic Withdrawal"

On April 4, as a matter of fact, it was reported for the first time that Negroes in large numbers were boycotting all stores in the downtown shopping area, including those without lunch counters.

The Negroes had agreed to refrain from sit-in demonstrations during the period the mayor's committee was studying the situation, but this did not mean they could not exert pressure in other ways. As one of the Negro leaders said later: "We had considered an economic boycott as a methodology and probably would have used it if it had not started elsewhere. But we were planning on this as our ultimate weapon. We still wanted to dramatize the moral issue through the sit-ins."

The first public notice of the boycott came from Dr. Vivian Henderson, professor of economics at Fisk University. Speaking to more than 500 Negroes gathered to discuss the sit-ins at the Pleasant Green Missionary Baptist church, Henderson asked:

"If there is anybody here who has not spent any money downtown in the last two weeks, stand up."

Almost the entire audience stood.

Referring to the boycott once as "our saving program" and later as "an economic withdrawal," Henderson identified, for those who wanted to see, the basic strength of the movement. Referring to a hypothetical charge that economic boycotts are destructive, he said:

"This is not a boycott to club men down. This is an economic withdrawal against evil. To destroy radical evil, you have to be radically good. It is radical evil that rules this town, and it will take radical good to break it."

Thus the leaders of the sit-in movement, which is solidly based on a moral concept in their eyes, threw the cloak of morality around their most powerful weapon.

No one will say just exactly how or when the boycott started. The most persistent report is that it started as a result of conversation between four ladies at a bridge party. It was decided, according to the report, that each person present should telephone ten friends and ask them to boycott the entire downtown shopping area until the sit-in controversy was settled in favor of the Negroes.

Although the beginning of the boycott remains somewhat vague, its impact has been clearly defined.

Through daily and maximum use of "our wire service," as Negro leaders playfully call Southern Bell Telephone and Telegraph Company, the boycott was maintained for approximately seven weeks at about 98 per cent efficiency.

Impact on Downtown

The impact on the downtown stores was a powerful one. First, the downtown shopping area has been plagued with a metropolitan area illness common to the nation—severe competition from suburban shopping centers.

On top of this, the merchants discovered customers from their shopping area, roughly those within a seventy-five-mile radius of Nashville, were staying away as long as conditions downtown remained unsettled as a result of the sit-ins.

Said a top merchant: "This business from outside of Nashville represents about 20 per cent of the total, and you cannot afford to lose it."

Another factor compounding the plight of the downtown merchants was unseasonably cold weather.

"There is no business more sensitive to weather conditions than that of retailing in a department or variety store," said an official of a large department store. "If conditions are calm and normal, you can usually just get by when sales fall off because of weather. But when conditions are as they were during this period, you haven't got a chance."

The absence of Negro customers, who spend about $7,000,000 annually downtown, had varying results. In one department store, Harveys, this represented 12 to 15 per cent of their business. At Cain-Sloan, a branch of Allied Stores, Inc., Negro customers represent approximately 5 per cent of the store's business.

With customers, in general, shopping elsewhere and those who did go downtown generally staying away from lunch counters, the variety stores were severely damaged.

Reliable sources indicate that the food business in such stores as Woolworth's, Kress, McClellan, and Walgreen runs as high as 40 per cent of total sales and sometimes as high as 50 per cent of the gross profit.

The boycott also affected businesses not involved in the sit-ins. The owners and operators of small stores that had no lunch counters and that had reputations of fine service for Negro customers discovered they were in the same economic boat as their colleagues at stores directly involved.

The transit company, which relies largely on Negro customers for its successful operation, discovered its business dwindling seriously.

Parking lots, for the first time in months, were not posting their usual "Sorry, No Room" signs.

The city's two newspapers anxiously kept their eyes on advertising lineage figures which showed signs of dropping.

"The combination of the boycott and the effect of unsettled conditions and bad weather were just too much," said one merchant. "To most of us this whole business of sit-ins was an economic problem. We knew and admitted the immorality of segregation. But we also felt, and felt strongly, any integration would keep many of our regular white customers away. We felt integration would be more harmful to our businesses than segregation as long as the community apparently felt the way it did on the issue.

"But as time passed," he continued, "we had to balance off a known economic loss as a result of the sit-ins and boycott against an unknown and indefinable loss if we integrated. The known loss soon became too great. We had to change whether we wanted to or not."

The vice-president of one of the two department stores involved in the sit-ins, who acted as chief negotiator for the merchants, said the merchants felt they could not risk integration until there was evidence the community would go along with it.

He and other merchants felt let down by the city's white leadership during the crisis.

"The Chamber of Commerce will go all out to keep the baseball team

here," said one of the merchants, "but they didn't do a . . . thing to help this situation even though they knew we were . . . being beat out of the downtown area."

Another merchant was sharply critical of the press for refusing to take any leadership on the sit-in issue as it did during the school integration crisis.

"Regardless of the differing editorial views the papers have," he said, "they did pave the way for acceptance of school integration."

The negotiator for the merchants put it this way:

"Suddenly, overnight, seven of the principal stores of this city found themselves put in the position of seeming to be immoral because of our segregated lunch counters even though the movie houses are segregated. We found ourselves alone."

Negotiations

It was clearly up to the merchants and Negro leaders to get together and work out a settlement after both sides refused to accept the recommendations of the mayor's biracial committee.

This was quickly arranged and negotiating committees were established for both sides. The merchants made two conditions regarding future negotiations. The first was that the negotiators for the Negroes be representative of the Negro community as well as of the sit-in movement, and that no white persons be allowed on the sit-in negotiating team.

Said one of the merchants:

"We made these requests for two reasons. We discovered, much to our surprise, the Negro members of the mayor's biracial committee, although both were university presidents, were not representative of the Negro community. We also discovered that whenever any white persons joined the Negroes in negotiation, they started preaching to us about the morality of the question. We didn't need anybody to orate to us about that."

This was readily agreed to by the Negroes. The result, a four-member negotiating team was formed. On it were two student leaders of the sit-in movement, Rev. Kelly Miller Smith, chairman of the Christian Leadership Council, and Coyness Ennix, a Negro attorney and the sole Negro member of the city school board.

It was also agreed that the report of the mayor's committee should at least be used as a starting point for the new negotiations.

The first talk was held in the second week of April. Two more formal negotiating sessions, each about ten days apart, were necessary before the settlement was reached. These sessions were also supplemented by informal talks between Mr. Smith and Greenfield Pitts, vice-president of Harveys and chief negotiator for the merchants.

Said Pitts, "We were pretty well agreed among the merchants that we would have to co-operate with the inevitable."

Said Smith: "When they expressed this view, we immediately suggested that if they recognized it as inevitable, wouldn't it be better for all to start planning for it now. They agreed. This was the big battle, for we had finally

gotten together on the *what* of the situation but now the *how*."

Pitts and Smith agreed that the next major obstacle to overcome in the negotiations was that of accepting the suggestion by the Negroes that the first sit-ins be executed under controlled circumstances by carefully selected, well-disciplined Negro groups.

Outside Events

The two negotiators also agreed that two outside events at this time had a powerful influence on the position of each side in the settlement conferences.

The first was the bombing of the home of Z. Alexander Looby, an attorney and one of Nashville's two Negro city councilmen.

Perhaps the most respected and powerful Negro in Nashville, Mr. Looby made it clear he believed the bombing was "very definitely connected with the sit-in controversy," for he was the chief of the battery of Negro attorneys defending Negro students arrested as a result of the movement.

"I think this act did more to change the climate of community opinion than any other single factor," said Pitts. "It more or less eliminated any possibility of community acceptance, or tolerance, of violence in the downtown area as a result of integrating the lunch counters."

The second event was a speech delivered here by Rev. Martin Luther King which gave eloquent evidence of the strength of this sit-in movement, a movement that has united the Negro community here as never before. In a direct reference to the Looby bombing and other acts of violence against Negroes during the sit-ins, Mr. King said:

"We will meet the capacity to inflict suffering with the capacity to endure suffering. We will say, 'Do what you will to us,' but we will wear you down by our capacity to suffer."

In the beginning, said one merchant, "we believed this was largely a student affair and quite possibly one that was led and organized by outsiders, students from the North and East.

"We learned differently after the boycott got under way," he said, "for our customers were not the student types. They were the Negro men and women of Nashville who live here, work here. We got an inkling of how deep their feelings were when 4,000 of them marched in Nashville."

Community Reactions

During this time the merchants got a hint that community feeling might not be so opposed to the change the Negroes were seeking.

Although they are firmly convinced true community sentiment is seldom expressed in letters from customers, they felt that the absence of strong support in their stand for continued segregation from various local racist organizations was a hopeful sign.

They also took note of the fact that a reasonably large bloc of persons from the intellectual community were boycotting the stores in sympathy with the Negro cause.

And finally, they took note of a meeting sponsored by the Nashville Community Relations Conference on March 30-31 devoted to a study of race relations in general and the sit-in movement in particular.

This meeting brought out over 500 people two separate nights for speeches and discussions on the subject.

"You can't count on those things too much," said one of the merchants directly involved in the sit-ins, "but it does make you feel good to know there are at least 500 folks here who are willing to talk about it in public. And you do get some strength, as well as information, from this kind of meeting."

"The Nashville Plan"

Toward the end of the first week of May, the negotiators met again and laid out the detailed plans for settlement of the sit-in crisis.

The plan was simple. The small groups of carefully selected Negroes, all well disciplined in the art of nonviolent action, would enter the stores on a certain day known in advance to the merchants. The merchants would have their employees fully prepared for the event and also have adequate police on hand to take care of any trouble that might develop.

The sit-ins would continue in this controlled fashion for a couple of weeks, and then all controls would be taken off. Representatives of the merchants and Negroes would meet to evaluate the integration movement.

Although one of the stores involved in the sit-ins declined to join the others in the settlement, the Negroes agreed to refrain from any further demonstrations downtown for "a reasonable period of time." The boycott in this particular store, Grant's, was maintained. Grant's opened its lunch counters to Negroes on an integrated basis on June 8.

The press and other communications media was to be informed of the settlement and accurate, nonsensational coverage was to be requested. Apparently due to misunderstanding about this provision of the agreement, the press was requested by the merchants to ignore the development.

This request was honored, and the only break in it came when the press service stories about the lunch-counter integration were piped back into Nashville via network television newscasts.

The result: The only local notice of this massive social change in Nashville appeared in a brief story buried inside the *Nashville Tennessean*.

Sidelights of the Sit-in

One of the most interesting sidelights to the sit-in controversy in Nashville is the way it speeded up the hiring of Negroes as white-collar workers in a few downtown stores.

This subject came up, Mr. Smith said, as the boycott was biting into the resources of the smaller merchants and those who had no lunch counters.

"Many of them came to us to see if we could do anything to relieve their situation," Mr. Smith said. "We asked each of them three questions. Had they done anything to help resolve the sit-in controversy? What had their

policies been toward serving Negro customers? What were their policies about hiring Negro employees?"

The first two questions were easy to answer, said Mr. Smith, for most of them had policies of serving Negro customers and most of them had at least been talking about settling the sit-ins through integration. It was the third question that had the hooker in it.

One small merchant said he had a Negro employee who had waited on his customers for years, and the only distinction between her and his other employees was that she wore a smock.

It was suggested the smock be removed. The suggestion was accepted, and the Negro woman is now waiting on white customers in desmocked style.

Her employer is still somewhat disturbed over the whole thing, not because he objects to Negro employees but simply because he is afraid of the effect it might have on this particular woman.

"She is a friendly country woman," he said, "who is deathly afraid of such things as thunder. She runs to the basement when we have a storm. Lord only knows where she'll run if she ever learns she has become a social symbol!"

From all indications, the integration of the lunch counters has been entirely successful. At an evaluation session June 15, the merchants told representatives of the Negroes they (the merchants) had been wrong in predicting dire consequences to integration.

They reported food service had fallen off slightly in the stores and that a few employees had quit rather than work in an integrated lunchroom.

They also reported, however, merchandise sales were booming, and there was no indication the integration of the lunch counters was interfering with this most important source of revenue for retailers.

So the often fearsome, sometimes violent, struggle of the Negroes for the right to eat downtown as well as buy downtown has ended—not with a bang or whimper but with the sound of cash registers ringing up sales.

WHAT DOES IT ALL MEAN?

What Sit-downs Mean to America

By Lerone Bennett, Jr.

From *Ebony*, June 1960. Used by permission.

FEBRUARY 1 was a day of moral confusion for America. In Washington, political pundits were debating the missile gap. In Chicago, a babbling burglar was telling a gripping tale of police malfeasance. In Los Angeles, the big news was a juicy murder trial. And in New York, the story of the day was on civic corruption.

In the little magazines and on the big college campuses, the talk was of America's spiritual flabbiness, lack of purpose, and loss of nerve. Payola, influence-peddling, and what's-in-it-for-meism dominated a great moral debate in the mass media.

"What's happened to America?" asked one alarmed professor. He ticked off a damning bill of particulars: crime, juvenile delinquency, quiz-fixing, political apathy, and the disturbing silence of the young generation. "Where," he asked, "in this fat, gadget-ridden land of ours can you find the moral concern, the idealism that motivated the men who made this country?"

On that very day, an answer came. Four college students sat down at a Woolworth lunchroom counter in Greensboro, North Carolina, and asked for coffee. Within three months, a massive sit-in campaign, based on the passive resistance techniques of Gandhi, had spread to every state in the South, except Mississippi.

This campaign released waves of dammed-up energy that flowed to every section of the country. Northern students trooped from cloistered campuses and set up picket lines. Strong feelings were displayed by students who had been dubbed "beat" and "cool." At Princeton University, students favoring the sit-ins and students opposing them came to blows. At the University of Wisconsin, the movement split the campus into two vocal groups. Said Melvin B. Reedman, co-ordinator of the Mellon Foundation research program at Vassar College: *"We can now find any number of prominent people quite ready to say that the situation of the Negro in the South is not right. There is the possibility that now that it has been demonstrated that there is something there, people might be more disposed to get a rise out of college students. This is the first time that Vassar girls have picketed in twenty years . . ."*

In a great upswelling of moral in-

dignation, church groups, politicians, and public figures climbed on the sit-in bandwagon. This indignation, of course, was of great propaganda value to the Southern sit-inners. The big gainer, however, was Uncle Sam. Every person who answered the students' call to conscience was forced to remember, as one columnist said, "*what it was like to be young, militant, and in love with freedom and justice.*"

This appeal to conscience was especially strong in the South. Leon Holt, field secretary of the Congress of Racial Equality, says: "*The South is a big Bible area and the whites draw comparisons between the Negroes and the early Christians. It disturbs their consciences: they may not like us, but you hear them say more and more, 'We ought to give them a chance.'*"

Speaking thus, from conscience to conscience, the sit-in generation lent weight to the oft-quoted statement of historian Arnold J. Toynbee. Said Toynbee: "*It is possible that the Negro slave immigrants who have found Christianity in America may perform the greater miracle of raising the dead to life. . . . It is thus perhaps, if at all, that Christianity may conceivably become the living faith of a dying civilization for the second time. If this miracle were indeed to be performed by an American Negro church, that would be the most dynamic response to the challenge of social penalization that had yet been made by man.*"

Recognizing this challenge, Roy Wilkins, executive secretary of the NAACP, announced a sweeping change in NAACP policy. He announced, in a little-noted statement, a nationwide campaign of economic boycotts, sit-in strikes, and protest marches. Said he: "*We have always used persuasion through various means of political and economic pressure, but now we're going to use it much more intensively than in the past because the membership has become restless over the slow pace of the Civil Rights proceedings.*"

Spurred on by the restlessness of Negro youth, other leaders moved to reopen the whole question of Negro-white relations. They contended that the dominant policy of Negroes since the days of Booker T. Washington has been "Tokenism." Within this system, a few Negroes were accepted in traditionally white institutions and applauded as "Negro firsts." When the sit-ins exploded, the South was on the brink of "Tokenism." Many observers now say that young Negroes will not settle for anything less than "first-class citizenship for everyone."

A direct result of this new-found militance is an increasing willingness among adults to tell the truth and take the consequences. As Rev. Matthew McCollum, president of the Orangeburg, South Carolina, NAACP, said: "*Every protest that makes a point is worth-while. We've been lying to the white man for years: 'Yassah, Cap'n, everything's all right.' We have to stop lying.*"

This truth-and-consequences policy united the Negro community. In Nashville, in Atlanta, in Chicago, in Harlem, adults awoke with a start and scurried to get in step with youth. Thousands participated in a "No Fashions for Easter" campaign. There was also an increasing emphasis on "selective buying" (economic

boycotts) in areas far removed from the scene of battle.

In Washington, the American Council on Human Rights announced an unprecedented austerity campaign. Mrs. Aretha B. McKinley, director of the organization, said: *"We have asked our more than 1,000 chapters to relinquish plans for free, formal functions until our rights are won. Over a half-million dollars a year are spent by college-based*

groups on social functions. This money can be better utilized to fight for equality and human dignity and to support fully the peaceful demonstrations against racial discrimination and segregation." In a mandate to five affiliated sororities, the council suggested that the money saved be sent to the "Student Emergency Fund of ACHR."

Similar action by other organizations indicated that many Negroes are now willing to pay the price of freedom. One result of this new attitude is that Negro leaders are now willing to risk the defection of "moderates" and "liberals." Taking note of Harry Truman's opposition to the student demonstrations, B. L. Robinson, executive secretary of the Richmond Urban League, said: *"We may lose a few friends now, but we'll shed a tear and move forward. In the end, maybe we'll regain those friends."*

The sit-in movement also resulted in an agonizing reappraisal of the position of "Negro moderates." Despite near-unanimity among Negroes, there were sharp disagreements over tactics in some communities. When eighteen students were expelled from Southern University, William V. Shannon asked the $64,000 question in the *New York Post: "The great imponderable is—what would have happened if President (Felton G.) Clark and his faculty had backed up the students and challenged the Board's attempt to deny them their constitutional right to protest?"* . . .

A dramatic scene highlights the personal nature of this challenge. A mother, weeping and moaning, confronts her daughter in the Tallahasse, Florida, jail. The mother offers to pay the girl's fine. The girl, who had been arrested in a sit-in demonstration, refuses and says: *"Mamma, I love you. But I am not free. And I'm not free because your generation didn't act. But I want my children to be free. That's why I'll stay in jail."*

Moved by the determination of students like the Tallahasse girl, Mordecai Johnson, president of Howard University, told a Washington audience the sit-inners were fighting for the purity of the nation. *"If your son becomes one," he said, "get on your knees and thank God."*

"Sit Down Chillun, Sit Down!"

By Wilma Dykeman and James Stokely

From *The Progressive*, June 1960. Used by permission.

Wilma Dykeman and James Stokely have written widely of their native South. Their book, *Neither Black Nor White*, recently received a Sidney Hillman Award for unusual excellence.

" 'There is one thing stronger than all the armies in the world and that is an idea whose time has come.' An idea whose time has come is sweeping the South today. It is the lunch-counter protests. From Greensboro to Chattanooga, to Florida, a new young Negro leadership is asserting itself. . . ."

"Sure we've been influenced by outsiders," a Florida student said not long ago, "outsiders like Thoreau and Gandhi. But our biggest influence has been inside—all those years of second-class citizenship stored up inside us."

Implicit also in this first sit-in were the paradoxes on which the movement is based, of people determined to wear down violence with a stronger nonviolence, sit down so they can stand tall, endure prison so they can be free.

Approximately 1,500 arrests, most of them Negro students, have been made since that February day. One example is the town of Orangeburg, South Carolina. On March 15, 388 students were arrested there during a peaceful march from two Negro colleges—one state-supported, the other a Methodist institution—to the downtown area, about eight blocks away, where they intended to sing "America" and offer a public prayer for equal rights. About two blocks from the campuses they were met by the police chief and the fire department. The heaviest ammunition the Negroes were carrying were their Bibles and hymnbooks. The firemen held their hoses ready to blast forth a stream of water.

"The police chief asked who the leader was," one of the Negro boys related, "and twelve hundred students shouted, 'I am the leader.'

" 'Well,' the police chief said, 'I am going to arrest the leader. Step forward,' and twelve hundred students stepped forward.

"One or two of those in front were arrested then and the police chief said, 'Get those niggers.' The fire hoses were turned on. Many of the boys and girls were knocked down, the force of the water was so strong. Some of their dresses and shirts were torn. Hats and coats were ruined. One fellow's ear began to bleed, but he stood there and took it."

In the words of the Southern Regional Council: "The South is in a time of change, the terms of which cannot be dictated by white Southerners. To react to these events with the old conditioned reflexes—indignation, reprisal, new laws, and prosecutions—is absurd. The deeper meaning of the 'sit-in' demonstrations is to show that segregation can-

not be maintained in the South short of continuous coercion and the intolerable social order which would result."

The most outstanding feature of this student protest has been its effectiveness as a technique of communication. Yet one of the most frequent comments volunteered by white Southerners is "Communication between the races has broken down." A North Carolina Negro student answers: "Most whites think communications have broken down just because they're getting a new message. We've known all along what they were thinking—now they're learning what we think. And it doesn't fit in with their pet myths."

Impatience is one of the new forces to which both the older white and Negro leadership of the South must now adjust. It is not an easy adjustment to make because one of the things the white Southerner has always felt he understood most and praised loudest was the Negro's patience. One young Negro summarized the issue when he said, "We're living in a jet age and we're tired of moving at an ox-cart pace."

Seen in this context, it was inevitable that the student protests should have started and reached greatest momentum in states like North Carolina and cities such as Nashville, where race relations are better than average. The outcry of white citizens in these places has revealed their basic lack of understanding of the issues and impulses involved: "Why do they do this to us? We've taken a half-dozen of them into the schools, we've integrated some of our city facilities, we're doing so much better than many places . . ."

But it is precisely this situation that makes "token integration" unrealistic. As any crumb of bread strengthens a starving man so that he may seek the whole loaf, so any fragment of democracy increases a man's hunger for total participation.

Another important aspect of the student protest is that it is elevating the whole debate of Negro rights from the legal to the moral level. In the new movement, lawyers are conspicuously less prominent than ministers. And this is significant because both white and Negro Southerners have remained closer to the formalities of religion than have residents of any other region. By turning to the church as well as the courtroom, the struggle for equality suddenly includes the whole Negro community and can also sensitize the white consciousness and conscience.

Perhaps this development, and some of its portent, can be best indicated by several comments from widely separate sources.

A white reporter in Tennessee: "The NAACP has now become the conservative force in the Negro community. They know that their recent gains have proceeded from the fact that they've had the power of Big Daddy, the Federal Government, to back them up in their demands, and they want to carry out these demonstrations at the legally defensible level. But many of the students don't care about this. They want their rights and they want them now, and going to jail is no longer a disgrace but a badge of honor."

Thurgood Marshall, in Charlotte, North Carolina: "The young people are impatient with the slowness of court action in furthering equality. And if you mean, are the young people impatient with me, the answer is yes."

Albert Brinson, a student at Morehouse College in Atlanta: "The Supreme Court can free us physically but only we can free ourselves mentally and spiritually. We have to do this and we're determined. Nothing can stop us."

It has been said that the South gave the Negro his greatest weapon —Christianity—and he's using it for all it's worth.

The method of nonviolence is difficult and calls for a rugged discipline. (It will be ironic indeed if the region which has the highest rate and reputation for violence—due partly to the frustrations and aggressions of an unequally treated minority—should develop a significant nonviolent approach to its major problem.) There are many friends, both black and white, who wonder if the complex understanding and stern self-control required by nonviolence can be maintained by the students who have thus far met the challenge stoutly.

College students in Nashville drew up a code of conduct to govern their sit-ins:

"Don't strike back or curse if abused.

"Don't laugh out.

"Don't hold conversations with floor workers.

"Don't block entrances to the stores and aisles.

"Show yourself courteous and friendly at all times.

"Sit straight and always face the counter.

"Remember love and nonviolence.

"May God bless each of you."

Even more impressive than this code has been the system of workshops conducted for some of the students who plan sit-in demonstrations. In a strange but effective training, young Negro men and women unlearn all the manners customary in civilized society. They budge and shove, humiliate and intimidate one another, testing the strength of their endurance for future ordeals. They call one another "coon" and "nigger" with a harshness and frequency that belies how deeply such terms have wounded them in the past. They spit in each other's face.

"I couldn't stand it for a white man to strike me," one student confesses, and the workshop leader advises him to stay home and participate in the cause in some other way.

"If you can't take it," an Alabama student says, "if you're so weak you've got to fight, find another movement. This is not for you."

The theme of several of these workshops has been "the redemptive power of unmerited suffering." Against the dignity and determination of people who can confront suffering without flinching, the paucity of imagination and courage in the methods of some of their white opposition stands stripped and barren.

Despite the fact that many white people insist the demonstrations are fostered by a few ringleaders in Negro colleges, it appears more certain every day that "a whole generation" has decided segregation must go. As one enlightened white

business leader confessed: "Now we're dealing with the so-called 'new Negro.' I don't know, he may have been there all the time if we'd only stopped to *see* or *listen* to him."

The new Negro is educated. Bernard Lee, expelled from Alabama State College for Negroes for taking part in a sit-in, says: "My grandfather had only prayer to help him. I have prayer and education. We have been educated until we cannot adjust to the Southern way of life."

The new Negro, like the young white Southerner, is a more urbane person than his grandfather or father, less restrained by the old rural dependencies and fears. Closely allied to this is the fact that he has had a slow but steady improvement of his economic situation.

Ezell Blair, Jr., one of the Negroes in the initial Greensboro sit-in, told a reporter: "As new Negroes, we can speak up loudly now and without fear of economic reprisals. As college students we have no jobs from which to be fired by people who don't like to see us assert ourselves. You see, what we call the old Negro always had to comply with everything in the South because of his economic status."

The new Negro has also developed, or is developing, a new leadership. Rev. Douglas Moore, a Methodist pastor from Durham, North Carolina, said recently, "For this movement to have meaning two things had to happen: first, a church with a wide mass base had to move and, second, students who could be controlled by neither the white power structure nor the black power structure had to move."

John Mack spoke of this sudden shift in leadership. "We know that whenever anything happens in the Negro community, the white leaders call certain Negro leaders. 'What's going on down there?' they ask. Well, they called this time in Atlanta, after our demonstration, and the old leaders couldn't tell them. It was that way in many cities."

One significant thing the Negro students have kept throughout their difficulties is a sense of humor. Those who have jeopardized their own chances for graduation from college now speak of themselves as "Graduates of the Richmond jails" or "Holders of the local sheriff's degree—the third degree, that is."

"Where will it all end?" some of the white Southerners ask in anxious perplexity. And one of them, a young white woman, replies: "If we'd only look in our own hearts we'd know. 'It' will all end when segregation and injustice and hypocrisy have ended. I believe the ones who ask really know the answer, but they can't bring themselves to accept it yet."

When former President Harry S. Truman said, on April 18, "I think this is being engineered by the Communists," most Negroes were dismayed.

"We have seen the Georgia governor's opinion that the Atlanta students' straightforward ad was a left-wing statement that 'did not read like it was written in this country,'" one of their adult leaders said, "but we had expected better of Truman. It's not Karl Marx and Khrushchev inspiring these students, but Jim Crow and Jesus Christ."

Progress and Prospect

By Marion A. Wright. From a speech before the Tennessee Council on Human Relations, October, 1960. Used by permission.

THE year 1960 may have interest to the historian for many reasons. Not the least of these will be because an idea emerged in the South —an idea that had application to the entire region.

You will note that I do not say the idea was then and there evolved. I say it emerged and it had application. For the idea itself—nonviolent resistance to tyranny—was old when the pyramids were raised.

Nebuchadnezzar made his great image of gold and set it up on the plains of Babylon. He issued his decree, directing that "*at what time ye hear the sound of the cornet, flute, harp sackbut, psaltery, dulcimer and all kinds of music, ye fall down and worship the golden image that Nebuchadnezzar the king hath set up.*"

But Shadrach, Meshach, and Abednego to his face told Nebuchadnezzar, "*Be it known unto thee, O King, that we will not serve thy gods, nor worship the golden image thou hast set up.*"

And so they walked unscathed through the fiery furnace.

So on the plains of Babylon there was born an idea. Some centuries later, in the city of Jerusalem, it was expressed: "*Render unto Caesar the things that are Caesar's and unto God the things that are God's.*" And so, by way of Walden Pond in the words of Thoreau, by way of India in the salt marches of Gandhi, by way of Montgomery, Alabama, in the person and example of Martin Luther King, Jr., the idea on February 1, 1960, entered a lunch counter in Greensboro, North Carolina.

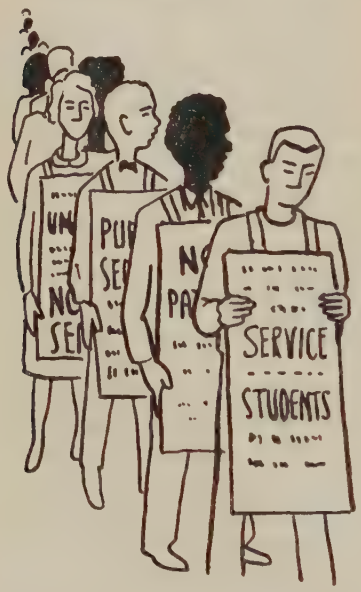
There is epic drama in the emergence of such an idea at such a time and place. It emerged in the South in the year 1960. There is a jarring contrast between the gentle and humane philosophy of nonviolence and the prevailing spirit and mood. A Sophocles or a Shakespeare would have arranged it thus.

Traditionally, the South is wedded to violence. It would be an exercise in morbidity to lead you through the maze of figures which indicate the Southern tendency to rely upon guns and clubs and dynamite as substitute for due process of law. It may be sufficient for our purposes to point out that, in the Southern states, the per capita rate for crimes of violence varies from one and a half to one and three fourths the national average. It is substantially higher than the rate of such uncivilized and benighted communities as Chicago and New York. More than incidentally, violence has often been the ready tool of some segregationists.

We hear much of "our way of life." I am never sure what our

friends mean, but it is the way of violence. It was against this backdrop of raw, red violence, into this world of bared fangs and claws, that the idea of nonviolence entered a Greensboro lunchroom on February 1. So you may see at once how heretical to most Southerners was the idea that, as the race is not always to the swift, victory is not always to the violent. Here then for the resistant South is a completely new concept—certainly a completely new tactic in securing social change.

Let us pause for a moment to point out two facts of utmost significance about this new tactic.



First, it is an exclusively Negro conception. The movement that rocked the South was the product of brains of Negro boys in a college dormitory at Greensboro. If the white South views this phenomenon realistically, must it not ask certain questions: If nonviolence may secure results so sweeping and profound, may we not have erred in relying upon violence? If violence is proved the incorrect policy, what about its city cousins, intimidation and repression, which are nothing but kid-glove violence? If a custom a century old may be upset by a few resolute and poised college students at lunch counters, is it entitled to survive elsewhere? And, finally, if Negro brains could conceive and execute so unorthodox and masterly a campaign, could not such brains be profitably utilized in all other phases of Southern life?

I must state quite frankly that I doubt that many white Southerners at the moment are asking such questions. But the questions are inherent in the situation. They will be asked by increasing numbers. They demand answers. We cannot forever deafen our ears to them. And the ultimate answer will mean the employment of full Negro skill and talent and ability everywhere in the South.

So, in a social revolution of first magnitude, origination and direction have come from the Negro community. This is as it should be.

But—and this is the second point upon which I wish to comment—in some instances, particularly in North Carolina, white college students and professors have marched with Negroes on the picket line, sat with them on the lunch stools, and gone with them to jail. If leadership has been the Negroes', loyal support has come from the whites. I think you may search Southern history without uncovering a precedent.

As a white man, I hope you will let me point out that the white stu-

dents and professors could have eaten anywhere. To fight another's battles requires character in superlative degree.

May I dilate a bit upon this idea. I do so because it marks a long leap forward in men's relations with one another.

Macaulay said that "*If the law of gravity had disturbed vested rights, it would not be accepted to this day.*"

Disraeli remarked that any noble lady of England would be more concerned about pinching her little finger in a door than about the drowning of 10,000 Chinese in a flood of the Yangtze River.

And, finally, Tolstoy said: "*The poor are hungry and we feed them; the poor are naked and we clothe them; the poor need shelter and we put roofs over their heads. But we won't get off their backs.*"

These fairly cynical and somber reflections upon human nature were made by highly intelligent and civilized men. They proclaim man's determination to preserve a favored status for himself and his unconcern with the plight of others. No one may question the legitimacy of the observations. And yet—

In significant instances white college students and professors, representing many institutions, have leaped into the struggle. They sought voluntarily to give up their preferred status—their vested right, if you please—and they showed the deepest concern with the plight of others.

So the lunch-counter struggle was lifted above the ruck of an interracial brawl. It was not whites versus Negroes; it was the decency of whites and Negroes versus indecency and injustice.

The great lawgiver Solon was asked when there would be perfect justice in Athens. He replied, "*When those who have not suffered injustice are as indignant as those who have.*" If he were alive today, he would find in the lunch-counter episode solid proof that the South begins to grope toward that high ideal.

Yet, of course, the South is a region of contrasts. (Nature seems to delight in producing contrasts.) So, in the interest of historical accuracy, it must be pointed out that this evidence of groping toward the ideal of complete justice exists side by side with evidence of retreat from all conception of justice, indeed, retreat from civilization itself.

The initial reaction to demand for lunch-counter service was to close the counters. Mark the same reaction in other fields. Close the golf courses. Close the swimming pools. Close the parks. Close the libraries. Close the schools.

Now, if civilization does not inhere in such public instrumentalities, they are at least its expressions. Snip them off one by one, and, one step at a time, you withdraw from civilization. Finally, at the end of this somber process, you have attained complete savagery. Never before in human history have men openly advocated an inversion of the evolutionary process.

That is, not for human beings. I understand that a few scientists are cross breeding horses in an effort to reproduce the dwarfed and stunted Eohippus, primal ancestor of the breed of present-day horses. The bunglers who propose to close schools and libraries would make cave men of us all.

Few among us go that far. But those who seek to preserve segregation retard, if they do not reverse, the normal evolution of society into finer forms.

Men grow, by experience, by contact, by absorption. Segregation limits the area of contact, the range of experience. Shut out from the lives of white and Negro alike has been the rich and rewarding experience of acquaintance with those who would bring to association and friendship a wealth of new background and social potential. White people should realize that they too are victims of the order they have created.

Occasionally one reads of a demented parent who has for years kept his child secluded in some attic or basement, shut off from contact or association with other humans. The police find the child undernourished, stunted, filled with fantasies and delusions, ridden with misconceptions and fears. Such life becomes when the world is shut out.

Southerners of both races, without awareness of it, have undergone an isolation differing only in degree from that of the unfortunate child. We, too, have lived without the main stream of life. The circle of those whom we might have known, who might have enlarged the range of our sympathies and understanding, who might have enriched our lives by imparting into them a new breadth and depth—that circle has been racially constricted. We, too, have lived in a world of myth and fantasy and fear. We devise our own delusions of grandeur and of inferiority.

We begin now to tug at the bonds. We seek escape and exit into a brighter and better world. When, happily, full release has been achieved, we will laugh at the fears that so long possessed us and begin, at last, to devote our lives to noble purposes and happy ends.

LAWS AND THE LAW

Letter to Christian Students

March 6, 1960

Dear Friends and Brothers in Christ:

Glory be to God, the Father, Son, and Holy Spirit. Amen!

We of the Central Committee of the National Student Christian Federation feel a deep concern for, and involvement in, the recently initiated and now widespread student demonstrations, which are seeking the end of discriminatory lunch-counter policies in stores and public buildings. We recognize that in a larger sense this is a symbolic demonstration against racial discrimination of any sort. Moreover, incidents growing out of these demonstrations have thrust before us, in some cases violently, important considerations such as our relationship as Christians to law and the civil order, civil disobedience and passive resistance, and academic freedom and responsibility.

As Christian students, however, our response to these turbulent events is grounded in the gospel of Jesus Christ—the knowledge that God has acted, and is acting, in the world. These events, and the situation that gave birth to them, surely stand as God's judgment upon us; we are humbled before Him. In God's judgment upon us we recognize, as well, his abundant mercy in Christ and his initiative in the ministry of reconciliation.

We are concerned with racial discrimination not alone because our Creator has endowed us with certain inalienable rights, but because Jesus Christ died to save all men. We, as Christian students, do not simply seek the realization of American democratic values; we witness to the fact that Christ died to reconcile all men to one another and to God. We rejoice in the knowledge that the living Christ is even now at work healing and reconciling where our efforts have fallen short. It is in the baptism in Christ that we have the ever-present sign that all men have been made one. Our actions as Christian students, "living in the last days," grow out of this faith, and we must not be surprised if among the participants in the demonstrations there are also non-Christian brothers who are pursuing a course of action similar to ours, nor should we fear to join with them in such action—always remembering to give God the glory.

Our faith calls us to share with you the following affirmations regarding the events that concern us all so deeply:

1. The law and custom that undergird the civil order are not, descriptively speaking, the embodiment of absolute values, but the manifestations of a particular fabric of social relationships. This law and custom are less

just than God wills, yet they cannot be disobeyed recklessly, for God use them to preserve relative order and peace. However, God also continuall brings their injustice under judgment and calls Christians to work towar changing the law and custom in the direction of his will. Just as the law an custom are necessary for the maintenance of civil order, so we as citizens ar responsible for the establishment and enforcement of the law and custom But we must recognize that God judges and redeems our civil order whateve that order might be. Simultaneously, we must as Christians recognize an accept our responsibility as lawmakers in a democratic society. This i especially important as we view not only the law and custom that hav fostered the lunch-counter demonstrations but also the civil rights debat that is now being carried on in Washington.

2. Civil disobedience and passive resistance in response to what we fee to be an unjust civil order are, to the extent which we are willing to accep the legal punitive consequences of our disobedience, an affirmation of th rule of law. On the one hand, we vigorously protest the unequal enforcemen of the law; on the other hand, we share with those participating in th demonstrations the conviction that the law must be enforced. Civil dis obedience can be a means to demonstrate not against the rule of law o custom, but against the wrongness of particular laws or customs; it can b used responsibly, and with restraint as a vehicle for seeking a less discrim inatory civil order but not for the destruction of the civil order itself.

3. Academic freedom and academic responsibility are essential in th university, where all its members (students, faculty, and administration join together in the search for meaning and truth. Academic freedom in volves the right of all the members of the university not simply to believe i certain truths, but also to act with integrity in the light of these truth Therefore, when we, for instance, are asked to resign from a university be cause we have acted upon our convictions, academic responsibility demand that those who request our resignations consider the task of the universit in the community as well as our right to hold—and if we hold, how can w help but pursue?—such convictions. As students we recognize our respons bility to the university, and that this responsibility includes the possibilit of disciplinary action; but everyone who lives in the university shares th responsibility, and disciplinary action must never be simply a response t community pressure.

Above all else, one implication stands out in the demonstrations: we a stand under God's judgment, and in need of God's grace as we act, for a we must in the coming days. Those of us in the Christian church must fa with new concern and courage our own often racially divided churche Those of us taking part in the demonstrations must recognize that not on might this mean breaking the law but also it might involve consequenc beyond either our imagination or our choosing. Those of us who resist th demonstrations must be given eyes to see the civil order that we seek to mai tain in the light of God's act of reconciliation in Christ. And those of us wh deny any responsibility for this human alienation must realize that our ve

enial or our lack of concern is a contribution to the situation which gives ise to the demonstrations. We must at all times remember that just as hrist reconciles the Negro and the white, so he reconciles the demonstrators nd those against whom the demonstration is being made.

We close, urging you as fellow Christian students to inform yourselves oncerning these events, to pray for all those involved, and to search for venues by which you may creatively participate in this work of God in our idst.

Sincerely yours,
Central Committee
National Student Christian Federation

The Law and Civil Disobedience

By Harris Wofford

OTE: Mr. Wofford, an Episcopalian, was Associate Professor of Law at the niversity of Notre Dame Law School. This talk was given on November 20, 959, at Gray's Inn, the student association of the law school. He took leave rom Notre Dame to serve on the staff of Senator John F. Kennedy. The talk as reproduced on August 23, 1960, with his permission. Copies may be ob-ained for 10 cents each from the Episcopal Society for Cultural and Racial nity, 50 Whitehall Street, S.W., Atlanta 3, Ga.

I could make a case for civil isobedience based on Augustine's escription of the "melancholy and amentable, judgments"—the in-ustices—inherent in the law in this inful City of Man, and, with paci-ism as a check on the commission of ew injustices, call for peaceful re-istance to unjust laws.

It is a good American case, de-ended and demonstrated by Thoreau nd by a whole generation of aboli-ionists. "*Unjust laws exist,*" said horeau. "*Shall we be content to bey them, or shall we endeavor to mend them, and obey them until we ave succeeded, or shall we trans-ress them at once?*" Thoreau asked, as I think we each must ask. His answer was: "*If this injustice is part of the necessary friction of the machine of government, let it go, let it go: perchance it will wear smooth . . . but if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter friction to stop the machine.*" So he advised the abolitionists not "*to wait till they constitute a majority of one.*" "*It is enough,*" he said, "*if they have God on their side, without waiting for that other one.*" And he went to prison for refusing to pay taxes to a government that was upholding slavery by imprisoning and

returning runaway slaves. He said that *"under a government which imprisons any unjustly, the true place for a just man is also prison."* But people did not understand and a distant aunt paid his taxes for him, and he was put out of prison after only a one-night stand. Still, I think, his apochryphal answer to Emerson made an imprint on the American mind. When Emerson asked him why he was in jail, Thoreau replied, *"Why are you outside?"*

But I do not think I am a pacifist, and I know I am not an anarchist and I did pass the bar. So I want to make a lawyer's case for civil disobedience. We have been reading Justice Holmes in my class, and as always he has renewed my passion for this jealous mistress, the Law, whose loyal lover I claim to be—even as I stand here advocating civil disobedience. By the way, there is a Thoreau text for this too. *"They are the lovers of law and order who observe the law when the government breaks it."*

Now I realize that this involves a paradox—a central paradox of natural law jurisprudence—that for many people spells anarchy. One man's natural law is all too often another's poison. For Socrates there was a higher law whispering to him from outside the cave of his world that told him it was the nature of man and the first principle of the teaching profession to ask questions—to question everything—and that therefore he should not obey the edict of Athens abridging his freedom of speech. But the Athenians who served him the hemlock were also obeying the highest law they knew, the need to preserve their society from subversion. I think you will agree with me that at least this one act of civil disobedience proved to be effective. For out of the cheerful prison-going and death of Socrates we learn academic freedom, and I would say that Socrates also teaches us the first principle of any republic, the principle established for this republic by the First Amendment.

I suppose that almost everyone here would agree that civil disobedience would be justified toward any man-made law prohibiting the public worship of God. St. Thomas said that human laws contrary to divine law ought nowise to be obeyed. The church has gone to the catacombs before in its exercise of the freedom of religion. And the lives of many martyrs and saints should be enough to convince you of the educational potentialities of such civil disobedience. The question is: Where else in the field of law and on what other occasions is civil disobedience also necessary and proper?

I would cite the second part of the First Amendment, freedom of speech, and the principle of equal protection of the laws in the Fourteenth Amendment as two other areas where any laws in conflict with these commands of the natural law according to my view of man's nature, ought to be civilly disobeyed.

But as soon as I say this, I have opened a Pandora's box from which many furies may fly, including the present disobedience of the Supreme Court's school decisions by many white citizens in the South. If you doubt that the white resistance to desegregation is based, in part a

ast, on a firmly held and often onscientiously held, though to me rongheaded, view of natural law, ien listen to this colloquy from ie Congressional Record for last eptember 14. Senator Eastland sked: "*Is not the segregated way of fe a better life? Is not that the law f nature?*" And Senator Thurmond eplied: "*Well, that is the way God ade the races. I presume it is.*"

And yet, despite the risks involved n letting loose differing ideas of atural law to contend with each ther, I believe that there is a great ope for the law, particularly for ie law of a republic, at the bottom f this Pandora's box. That hope is mbodied in a view of law that transends the old idea which says that aw is nothing but the command of ie sovereign. In a republic, or with ien who like Mark Twain's Conecticut Yankee have the idea of a epublic in their heads, every comiand of the law should be seen as a uestion.

A Socratic philosopher of the aw, Scott Buchanan, has stated iis thesis to show how "law teaches iose who make and obey it"—and I ould add, disobey it. "*Laws,*" he ays, "*are questions asked by God, istory, nature, or society to be anwered by men individually and colectively. This formulation penerates the heart of human freedom. It ays that no law, not even divine law ancels out human freedom; the anwer can be Yes or No or something lse. It also tacitly warns of conseuences of the answer. But primarily forces the human being to think bout ends, or purposes.*"

In this view, there is implicit in each law the alternative of obedience, or of civil disobedience with full acceptance of the consequences. Once we no longer see law as a mechanical thing, once we free ourselves from the idea that as good citizens we have no choice but to obey any law passed by the legislature, no matter how bad, then of each law we must ask ourselves, Is this a law that I should obey? Is it a just law? Is it so unjust that it needs to be resisted from the very inception, and cannot wait the slow process of parliamentary reform?

So you see we are back with Thoreau but with a difference. He thought in terms of disobedience serving as a counter friction to stop the whole machine of the law. I am presenting civil disobedience as a natural and necessary part of the great due process of our law, that process of persuasion through which we govern ourselves. Civil disobedience, as I see it, is a kind of persuasion, the persuasion of last resort, within the boundaries of the law, sometimes the only kind available.

Of course, any kind of disobedience of law may have the effect of persuasion, just as force can at times be a powerful persuader. The disobedience of the prohibition laws was violent, secret, rather cynical and largely uncivil, yet it finally led to the repeal of the Eighteenth Amendment. But this kind of disobedience was truly beyond the legal pale. By teaching disrespect for this one law, it was indeed subversive of the law. To have been civil disobedience, the resistance to prohibition would have had to be open, in the

sight and knowledge of the authorities, and those thus disobeying the law not only should have been prepared to accept the consequences but should have deliberately invited them. If those who considered the Eighteenth Amendment a violation of their natural right to drink had courted the jails in protest, if they had, as Gandhi urged his countrymen, entered the prisons "as a bridegroom enters the bride's chamber," I think the Twenty-first Amendment would probably have come sooner. Certainly it would have come better. I do not think we would have had the organized crime that came in the wake of the less respectful forms of persuasion that were used.

Civil disobedience is within the legal pale—within the Canons of Ethics of our profession, I would say—because it involves the highest possible respect for the law. If we secretly violate the law or try to evade it or violently seek to overthrow it, that would be disloyalty to the idea of law itself. But when we openly disobey a law that we hold to be unjust and ask for the penalty we are saying that we so respect the law that we belong in jail until it is changed. Thus Socrates refused to listen to his friends' plan for his escape from the verdict of Athens but chose instead to peacefully drink the hemlock, giving the respect he considered due to the state and to the laws in which he had lived and had his being.

Is this anarchy? I hope not, for I agree with Justice Brandeis that our government is "the potent, the omnipresent teacher" that "teaches the whole people." And I do not agree with Thoreau that "the law will never make men free." It is through law that we, like Socrates, find our freedom. But the law will play its full role as teacher only when we look upon it as a question. For it is the voice of our body politic with which we must remain in dialogue.

If the proposition to which we are dedicated is self-government, then we must respond to the law, resist it, change it, and fulfill it, even as it challenges, changes, and educates us. Civil disobedience is one way in which we can exercise the choice that law gives us. It is the choice that makes us free.

Now I have not even come to Gandhi, and all I will say here about him is that he, too, was a lawyer—trained in London's Inner Temple—and I think he always saw civil disobedience as a constitutional form of persuasion, as a way to reach and move the minds and hearts of people and thus to mold the law.

Nor have I tried to consider the many uses and abuses of this theory. I recall a Kentucky mayor who called on his people to adopt Gandhi's method of fighting injustice, as the only remaining form of resistance to court-imposed integration. The mayor added that of course the white people wouldn't want Gandhi to come to their town however useful his idea of civil disobedience might be for their purposes.

This doesn't disturb me. For the beauty of *civil* disobedience is that in part at least, it answers a problem of law that has bothered people from St. Thomas to the present. Aquinas

ld that laws contrary to human od were not binding in conscience cept in order to avoid "scandal or sturbance." Since violent disobedi- ce, in the violent centuries that llowed, did indeed often cause andal and disturbance contrary to e common good, St. Thomas' ex- ption has generally proved to be e rule, at least the rule for lawyers. ut *civil* disobedience by its nature oids the kind of scandal or disturb- ce that St. Thomas rightly feared. In fact, what is wrong with the eory of civil disobedience in this untry is not that our jails would ll. For jail-going is not the natural isposition of most men. A little jail- oing against some of our laws ight be good yeast to leaven the mp of our modern Leviathan. Civil isobedience could be an antidote to e centralization and standardiza- on of our life, to the sense of fatal- y of the multitude as well as to the tyranny of the majority. We certainly need some kind of Socratic gadfly to stir society from its dogmatic slumbers.

No, the problem, I fear, is rather that by nature we seem more inclined to disobey not unjust laws but just ones. We all engage in civil disobedience in the form of jaywalking or speeding, to name only two popular varieties. But we hesitate to resist an unjust law. We do not take personal responsibility for injustice. Instead of taking Socrates straight, we seem to prefer the comic version. I am referring to Aristophanes' portrayal in "The Clouds," where the student of Socrates says, "*But I wish to succeed, just enough for my need, and to slip through the clutches of law.*" But there again, we are free to choose which Socrates—which inner light or higher law—to follow, and it is the choice that makes us free.

All men recognize the right of revolution; that is, the right to refuse allegiance to, and to resist, the government, when its tyranny or its inefficiency are great and unendurable. But almost all say that such is not the case now. Nor such was the case, they think, in the Revolution of '75.

Unjust laws exist: shall we be content to obey them or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once?

Under a government which imprisons any unjustly, the true place for a just man is also a prison.

—Thoreau, from *The Great Quotations*, compiled by George Seldes; published by Lyle Stuart, New York, N.Y. Used by permission.

Organizations Involved

While the student demonstrations have been without exception indigenou in each local community in which they have occurred—though certainly in fluenced by reports of what has happened in other communities—severa national and regional agencies have become involved in advisory and supple mentary roles in the student movement as a whole. Students have successfull resisted the temptation to let adult groups "take over." The charge that a loca demonstration was "instigated or controlled by outsiders" is totally unfounded except in so far as no local community is so isolated as to be uninfluenced b reports of what is going on elsewhere. The major organizations, the distinctiv roles they seek to play, and their addresses are listed below.

Student Nonviolent Co-ordinating Committee. 208 Auburn Avenue N.E., Atlanta 3, Ga. "The Student Nonviolent Co-ordinating Committee wa established on April 17, 1960, at the close of a conference held at Shaw University, Raleigh, North Carolina. The Raleigh Conference, a meeting o Southern student protest leaders and Northern supporters, was sponsored by the Southern Christian Leadership Conference.

"The Co-ordinating Committee is composed of [student] representative from the Southern states and the District of Columbia. Its purpose is to co ordinate activities, analyze the status of the movement, and map plans fo the future. It is self-directing, but welcomes the participation and assistanc of supporting observer groups." (From *The Student Voice*, Vol. 1, No. 1 June, 1960, newsletter of the Student Nonviolent Co-ordinating Committee.

National Association for the Advancement of Colored People. 2 West 40th Street, New York 18, N.Y. "Local and state units of the NAAC have supplied legal aid, other counsel and guidance, and have posted bon and paid fines. The Association's national office has helped focus public at tention on their campaign and stands prepared to supplement the aid of th local branches and to take the students' cases to the highest court if neces sary." (From *The Day They Changed Their Minds*, publication of NAACP.

Congress of Racial Equality. 38 Park Row, New York 38, N.Y. Na tional Student Association Southern Project *Newsletter* reports CORE's rol as: "Giving moral support and active encouragement; on-the-scene support negotiations with national chain stores on behalf of the students." CORE which is avowedly and intentionally interracial, also, on invitation, train local leaders in the self-discipline of nonviolence.

Southern Christian Leadership Conference. 208 Auburn Avenu N.E., Atlanta 3, Ga. Its role is one of identification with the movement, en couragement, advice, and interpretation through Martin Luther King, Jr.

U.S. National Student Association, 3457 Chestnut Street, Philadelphia 4, Pa. "Directs national student concern to the areas of protest; issues press releases and bulletins; fund raising." (From Southern Project, USNSA, *Newsletter.*) The USNSA also established a "National Student Scholarship and Defense Fund." Make checks payable to USNSA, but earmarked for the fund, and mail to: USNSA, 3457 Chestnut Street, Philadelphia 4, Pa.

National Student Christian Federation, 475 Riverside Drive, New York 27, N.Y. Receives and is accountable for funds for the aid of students expelled or arrested in nonviolent sit-ins and other nonviolent protests. Make checks payable to NSCF, but earmarked for the fund, and mail to: NSCF, 475 Riverside Drive, New York 27, N.Y.

In many communities in which there have been demonstrations, local organizations have evolved for the purpose of determining strategy and directing activity. In Atlanta, for example, there is a student-composed Committee on the Appeal for Human Rights, as well as a Student–Adult Liaison Committee. Similar local agencies have been formed in Nashville, Knoxville, and elsewhere.

Places Desegregated

in which one or more—and in some instances, all—variety and chain drugstore lunch counters have been desegregated as of October 15, 1960.

Virginia

Ammandale
Arlington
Arlington County
Charlottesville
Harrisonburg
Petersburg
Roanoke
Winchester
Hampton
Newport News
Staunton
Alexandria
Norfolk
Richmond
Portsmouth
Fredericksburg
Hopewell
Falls Church
Manassas
Williamsburg
Fairfax County
Charlottesburg

Tennessee

Chattanooga
Kingsport
Knoxville
Oak Ridge
*Bristol
*Johnson City
*Madison
*Elizabethton
Nashville

North Carolina

Asheville
Wilmington
New Bern
Fayetteville
Charlotte
Goldsboro
Raleigh
Wilson
Chapel Hill
Elizabeth City
Salisbury
Durham
Winston-Salem
Concord
High Point
*Kannapolis
Greensboro

West Virginia

Bluefield

Missouri

Maryville
Chillicothe
Sikeston
Sedalia
North Kansas City
Jefferson City
Poplar Bluff
Independence
St. Charles
Mexico

Texas

Rosenberg
Bryan
Galveston
Laredo
San Antonio
Beaumont
Houston
Corpus Christi
Pasadena
San Angelo
Austin
Amarillo
Waco
Temple
Brownsville
Huntsville
Abilene
Hurst
Richardson
Victoria
Port Arthur
McKinney
Dallas
La Marque
Texas City

Kentucky

*Lexington
*Ashland
Frankfort

Florida

Daytona Beach
Fort Lauderdale
Hialeah
Key West
Miami
Orlando
West Palm Beach
*Miami Beach
*Barton
*Bradenton
Coral City
North Miami
Tampa
Pompano Beach
Melbourne
Sarasota
Largo
Ybor City
Coral Gables
Homestead
North Hollywood
Fort Myers
Cocoa
Lantana

Maryland

Brooklyn Park
Salisbury

Oklahoma

Tulsa
Durant
Enid
Oklahoma City
Miami
Shawnee
Ada
Bartlesville

Note: With the exception of communities starred (*), the above list has appeared in print at least once, in* **Women's Wear Daily, *October 19, 1960, page 46. (Information supplied by courtesy of Southern Regional Council.)*

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